

**Summary of Telephone Examiner/Attorney Interview 10/26/2005.**

Applicants thank Examiner Desir for the interview granted to their attorney, Janis E. Clements, on October 26, 2005. In that interview, Applicants' attorney discussed with Examiner our intention of amending the claims in order to more clearly define the present invention. Examiner agreed that the distinction of the present invention, as will be set forth in greater detail in the subsequent argument, is that the "addresses" involved in the application do not comprise navigation data, such as cartographic data including a number of locations and data indicative of thoroughfares of a plurality of types of connecting certain ones of the locations, nor does it include software operable to perform navigation applications such as routing algorithms. The present invention relates to the transmission of one or more addresses to a global positioning device from an address file storing a plurality of addresses in a computer. The Walters patent does not disclose transmitting one or more addresses selected from an address file storing a plurality of addresses in a computer.

### REMARKS

#### **Response to Claims Rejections**

The rejection of claims 1-18 as being unpatentable under 35 USC 102(e) as anticipated by Walters et al. (U.S. Patent No. 6,816,782; Walters hereinafter) is respectfully traversed.

#### **Walters et al. fails to Anticipate Claims 1-18 under 35 USC 102(e).**

It is submitted that a rejection based on anticipation under 35 U.S.C. 102(e), must expressly or impliedly teach every element of invention without modification. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Furthermore, the reference must be an enabling disclosure of each and every element as set forth in the claim. *In re Hoecksmas*, 158 USPQ 596, 600 (CCPA 1968); *In re LeGrive*, 133 USPQ 365, 372 (CCPA 1962). Because the Examiner does not show that Walters teaches or suggests each and every element of claims 1-18 or enables each and every element of these claims, claims 1-18 are not anticipated. The rejection should be withdrawn, and the claims should be allowed.

As will be shown below, Walters does not teach or suggest a method, system, or computer program as claimed in the present application. Claims 1-18 are therefore patentable and should be allowed. Applicants respectfully traverse each rejection and request reconsideration of claims 1-18.

Concerning Examiner's rejection of claims 1-18, Applicants respectfully submit that Walters does not anticipate Applicants' claims 1-18 because Walters does not teach expressly or inherently the elements of claims 1-18, or enable the elements of claims 1-18. Specifically, Walters does not teach or suggest the following elements of independent claim 1, and similar elements in independent claims 7 and 13:

"sending one or more addresses to a global positioning system device from an address file storing a plurality of addresses in a computer"

Responsive to Examiner's rejection of claims 1, 7, and 13, Applicants submit that Walters does not teach or enable "sending one or more addresses to a global positioning system device from an address file storing a plurality of addresses in a computer" as

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claimed by Applicants. The Office Action uses "navigation related data" synonymously with "addresses" (page 2, paragraph 3 of the Office Action). Further, the Office Action suggests "comprising: means for selecting one or more addresses from a device with addresses stored thereon" of claims 1 and 13 is equivalent to Walters' statement: "the navigation related data includes navigation data selected from the group of a number of waypoints, a planned route, and points of interest" (Col. 6, lines 63-66). The addresses sent as claimed are not "navigation data" as defined by Walters and particularly, are not "navigation data selected from the group of a number of waypoints, a planned route, and points of interest." The addresses as claimed are stored addresses on an address file in a computer, such as an address book.

"Navigation data" is defined by Walters as including "cartographic data" (Col. 6, lines 51-52). Walters defines "cartographic data" as including "a number of locations and data indicative of thoroughfares of a plurality of types connecting certain ones of the locations" (Col. 6, lines 51-55). Walters further states that "navigation related data" includes a "calculated route between at least two of the number of locations" (Col. 6, lines 56-57). Walters never defines navigation data or navigation related data as being "addresses" as claimed or "stored addresses" as claimed. While the Walters patent does use the term "destination address" in Claims 42, 45, 46, 47, 49, and 50, when claiming a "navigation system", a "navigation device", and a "navigation method", the presently claimed invention is not for a navigation system, device, or method. However, Applicants respectfully note that calculations of locations are not claimed in its patent. The application claims the transfer or transmission of stored addresses from a PDA to a GPS to save time so the user is not manually inputting said address information. Walters does not teach the transmission of stored address information transmission as claimed.

Walters discloses an integrated GPS/multipurpose device which is able to wirelessly transmit navigation related data (Col. 2, lines 38-45), and not stored addresses from an address file, from one such device to another providing enhanced flexibility and utility in accessing and sharing navigation applications between devices. Consequently, Walters does not disclose the transfer of stored addresses as claimed.

Thus, in light of the above argument submitting that claims 1, 7, and 13 not being anticipated by Walters, Applicants respectfully request allowance of claims 1, 7, and 13.

Responsive to Examiner's rejection of claims 2-6, 8-12, and 14-18, Applicants submit that Walters does not anticipate dependent claims 2-6, 8-12, and 14-18 because Walters does not anticipate independent claims 1, 7, and 13, from which claims 2-6, 8-12 and 14-18 depend. Dependent claims 2-6 contain all the limitations of independent claim 1. Dependent claims 8-12 contain all the limitations of independent claim 7. And

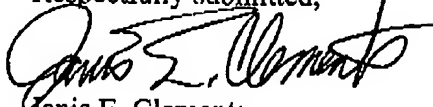
dependent claims 14-18 contain all the limitations of independent claim 13. Therefore, Applicants respectfully request allowance of claims 2-6, 8-12, and 14-18.

The Walters patent can not be used as a reference under 35 USC 102(e) because it does not teach every element of the claimed invention in unmodified form. Walters clearly fails to meet the standard for anticipation under 35 U.S.C. 102(e), wherein the reference must expressly or impliedly teach every element of invention without modification. Thus, it is submitted that significant modifications would have to be made in the Walters teaching to even have any suggestion of the present invention. Therefore, Walters is not an anticipatory reference. Thus, claims 1-18 are submitted to be patentable under 35 USC 102(e) and not anticipated by Walters et al. The present claimed invention is herein distinguished from the reference Walters et al., regarding the Examiner's rejections, and Applicants respectfully request an allowance of claims 1-18.

#### Conclusion

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims is respectfully requested. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.

Respectfully submitted,



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